



US Army Corps  
Of Engineers  
Wilmington District

# PUBLIC NOTICE

Issue Date: June 6, 2006  
Comment Deadline: July 7, 2006  
Corps Action ID #: SAW 2006 32489 234

The Wilmington District, Corps of Engineers (Corps) has received an application from the City of Winston-Salem seeking Department of the Army authorization to impact approximately 1,380 linear feet of stream channels and 0.33 acres of wetlands of the jurisdictional waters of Sides Creek associated with the proposed extension of West Clemmons Road that would be routed from the existing intersection of West Clemmons Road and Old Salisbury Road to Peters Creek Parkway (NC 150) beginning at a location between Wharton Avenue and Jay Avenue to the west, and ending at a location between Ocala Drive and Sina Avenue to the east, in Winston-Salem, Forsyth County, North Carolina.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at [www.saw.usace.army.mil/wetlands](http://www.saw.usace.army.mil/wetlands)

**Applicant:** City of Winston-Salem  
P.O. Box 2511  
Winston-Salem, NC 27102

**AGENT (if applicable):** S&ME, Inc.  
3718 Old Battleground Road  
Greensboro, NC 27410

## Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act.

## Location

The proposed project site is located from the existing intersection of West Clemmons Road and Old Salisbury Road to Peters Creek Parkway (NC 150) beginning at a location between Wharton Avenue and Jay Avenue to the west, and ending at a location between Ocala Drive and Sina Avenue to the east, in Winston-Salem, Forsyth County, North Carolina. Coordinates (in

decimal degrees) for the site are 36.0294 North, 80.2699 West. The site is adjacent to Sides Creek in the Yadkin River Basin (8-Digit Cataloging Unit 03040101).

### **Existing Site Conditions**

General land use in the vicinity of the project consists of residential neighborhoods, agricultural / wooded areas, and several commercial businesses along Peters Creek Parkway. The project impact area is bordered to the north and south by residential, agricultural, and undeveloped land, bordered to the east by residences and several commercial businesses, and bordered to the west by residential neighborhoods. Vegetation within the proposed impact areas is mostly forested with cherry bark oak (*Quercus falcate*), eastern red cedar (*Juniperus virginiana*), and red maple (*Acer rubrum*), and understory vegetation consisting Chinese privet (*Ligustrum sinense*), greenbrier (*Smilax*, spp.) and blackberry (*Rubus*, spp.). The proposed West Clemmons Road Extension will cross six drainage features, four being jurisdictional stream channels, identified as unnamed tributaries of Sides Creek. An approximate 0.33 acre riparian wetland which also would be included in the road fill is located adjacent to the stream channel identified as stream channel 3 in the project plans. The vegetation within the wetland includes bull rush (*Juncus effuses*), tulip tree (*Liriodendron tulipifera*), green ash (*Fraxinus pennsylvanica*), and multiflora rose (*Rosa multiflora*).

Currently east / west traffic from West Clemmons Road to Peters Creek Parkway is bottlenecked through the old / existing residential development adjacent to Old Salisbury Road. The proposed project is a direct east / west extension of West Clemmons Road to a new intersection with Peters Creek Parkway. This project would greatly improve traffic flow of West Clemmons Road, remove traffic congestion out of the residential areas along Old Salisbury Road, and improve public traveling safety in the project area.

### **Applicant's Stated Purpose**

As stated by the applicant, the purpose of the project is to improve traffic flow and public safety including pedestrian safety for the east / west traffic flows of West Clemmons Road with access to the Peters Creek Parkway.

### **Project Description**

The project consists of the proposed extension of West Clemmons Road that would be routed from the existing intersection of West Clemmons Road and Old Salisbury Road to Peters Creek Parkway (NC 150) beginning at a location between Wharton Avenue and Jay Avenue to the west, and ending at a location between Ocala Drive and Sina Avenue to the east.

Approximately 1,380 linear feet of stream channel and 0.33 acres of wetlands of the jurisdictional waters of Sides Creek would be piped and filled in conjunction with the road construction.

The applicant proposes to mitigate for permanent impacts to jurisdictional waters (both stream channels and wetlands) by payment to the North Carolina Ecosystem Enhancement Program (EEP). By letter dated March 3, 2006, the EEP stated their willingness to accept payment and provide 0.66 acres of riparian wetland mitigation and 2,506 linear feet of warm water stream channel mitigation in the Yadkin Basin (8-Digit Cataloging Unit 03040101).

### **Other Required Authorizations**

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by June 30, 2006.

### **Essential Fish Habitat**

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

### **Cultural Resources**

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

## **Endangered Species**

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. A final determination on the effects of the proposed project will be made upon additional review of the project and completion of any necessary biological assessment and/or consultation with the U.S. Fish and Wildlife Service."

## **Evaluation**

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

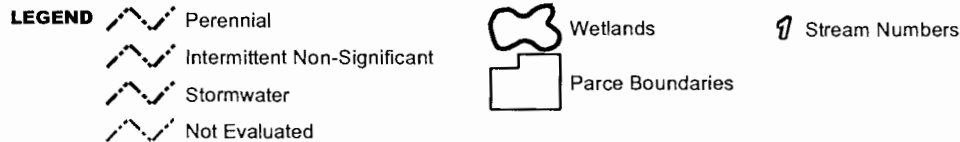
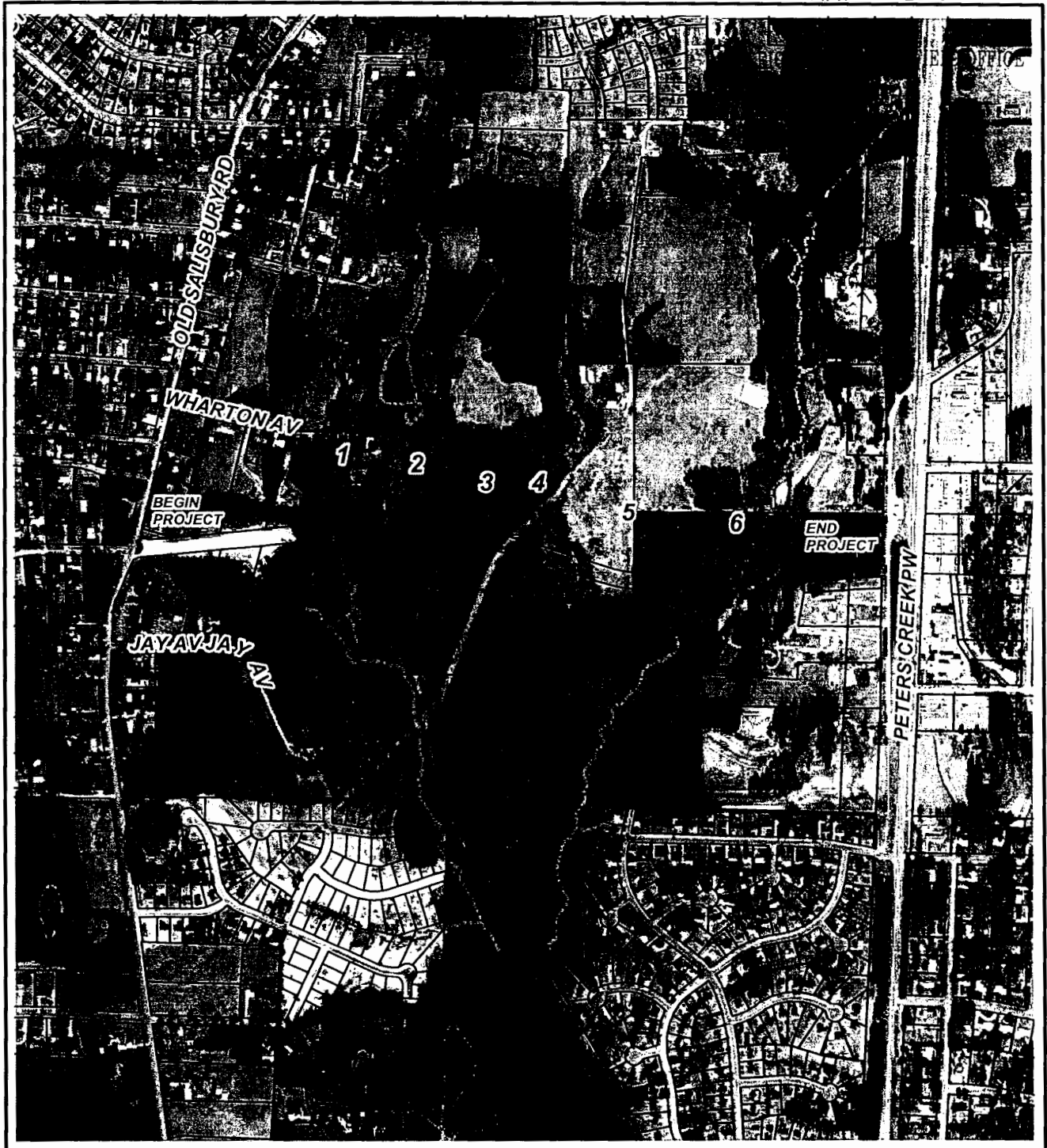
## **Commenting Information**

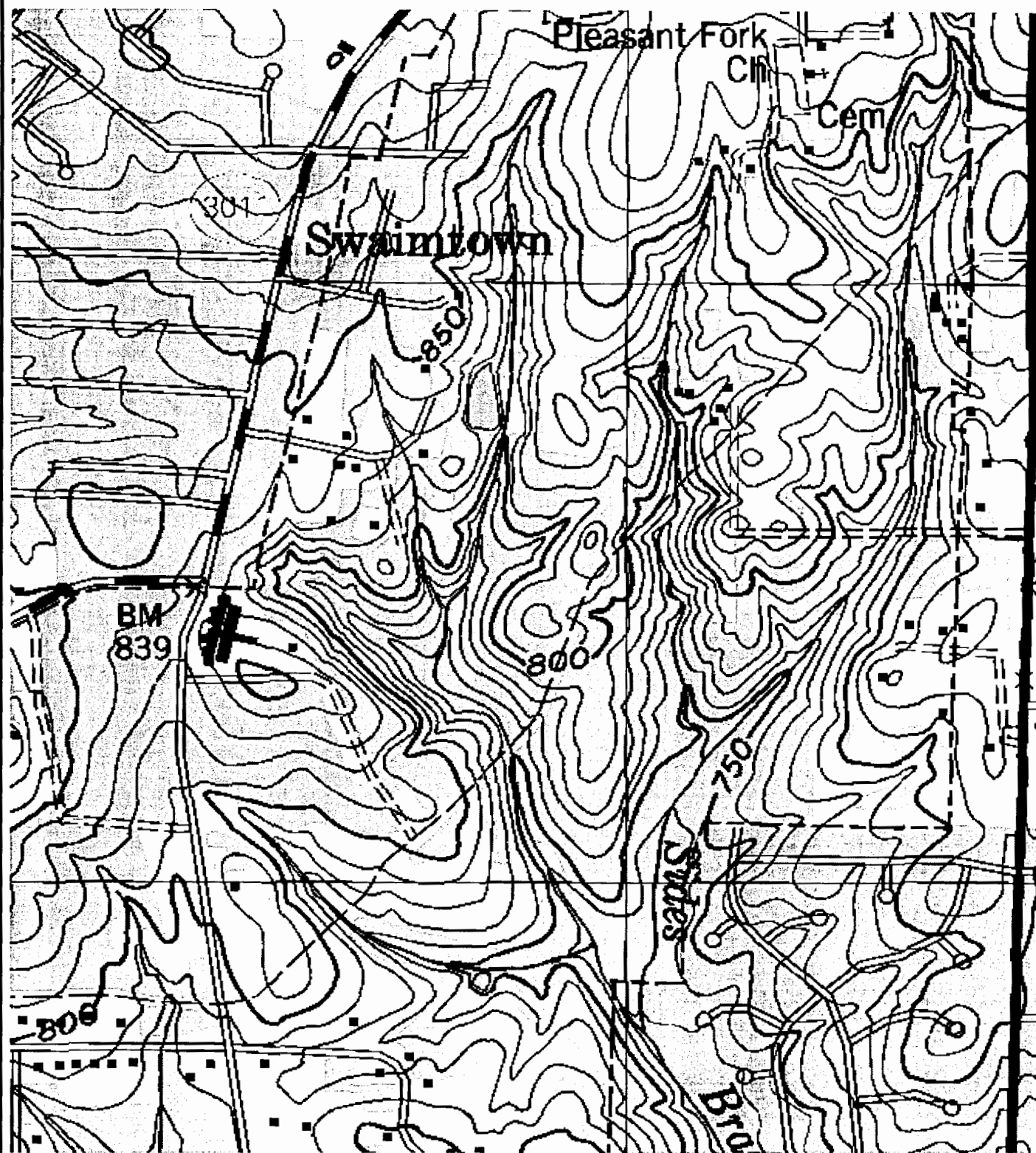
The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, July 7, 2006. Comments should be submitted to John Thomas, Raleigh Regulatory Field Office, 6508 Falls of the Neuse Road, Suite 120, Raleigh, NC 27615.

MAY 23 2006





Source: Topozone.com

SCALE: NTS  
 CHECKED BY: JBP  
 DRAWN BY: MLM  
 DATE: 5/16/2006



**S&ME**

ENVIRONMENTAL SERVICES • ENGINEERING • TESTING

West Clemmons Road Extension  
 W. Clemmons Road from Old Salisbury to Peters Creek Pkwy.  
 Winston-Salem, North Carolina

JOB NO. 1588-06-034

FIGURE NO.

205



CITY OF WINSTON-SALEM, N.C.

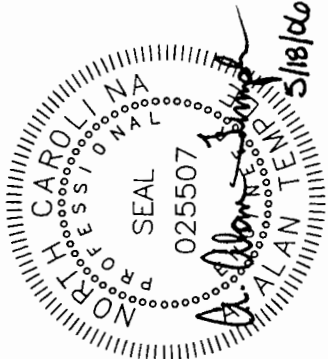
PROJECT NUMBER	PROJECT NAME
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SCALE	SHEET 2 OF 3
1"=50'	

PERCY E. SNYDER, JR. et al

6B

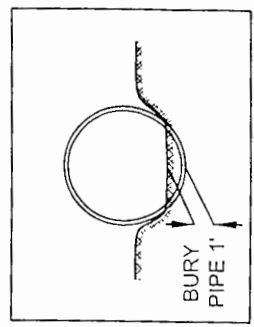
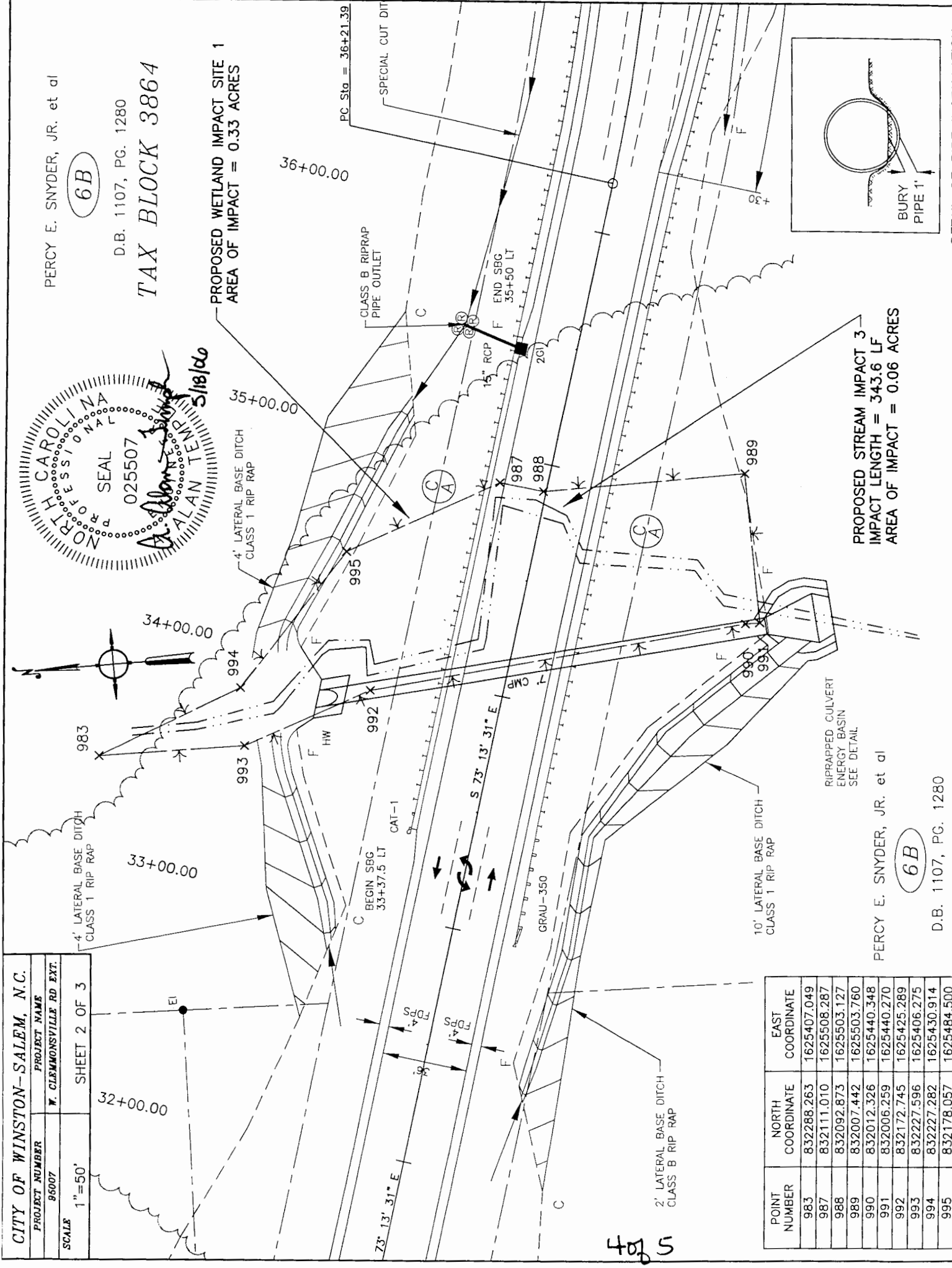
D.B. 1107, PG. 1280

TAX BLOCK 3864



PROPOSED WETLAND IMPACT SITE 1  
AREA OF IMPACT = 0.33 ACRES

PROPOSED STREAM IMPACT 3  
IMPACT LENGTH = 343.6 LF  
AREA OF IMPACT = 0.06 ACRES



POINT NUMBER	NORTH COORDINATE	EAST COORDINATE
983	832288.263	1625407.049
987	832111.010	1625508.287
988	832092.873	1625503.127
989	832007.442	1625503.760
990	832012.326	1625440.348
991	832006.259	1625440.270
992	832172.745	1625425.289
993	832227.596	1625406.275
994	832227.282	1625430.914
995	832178.057	1625484.500

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D.B. 1107, PG. 1280

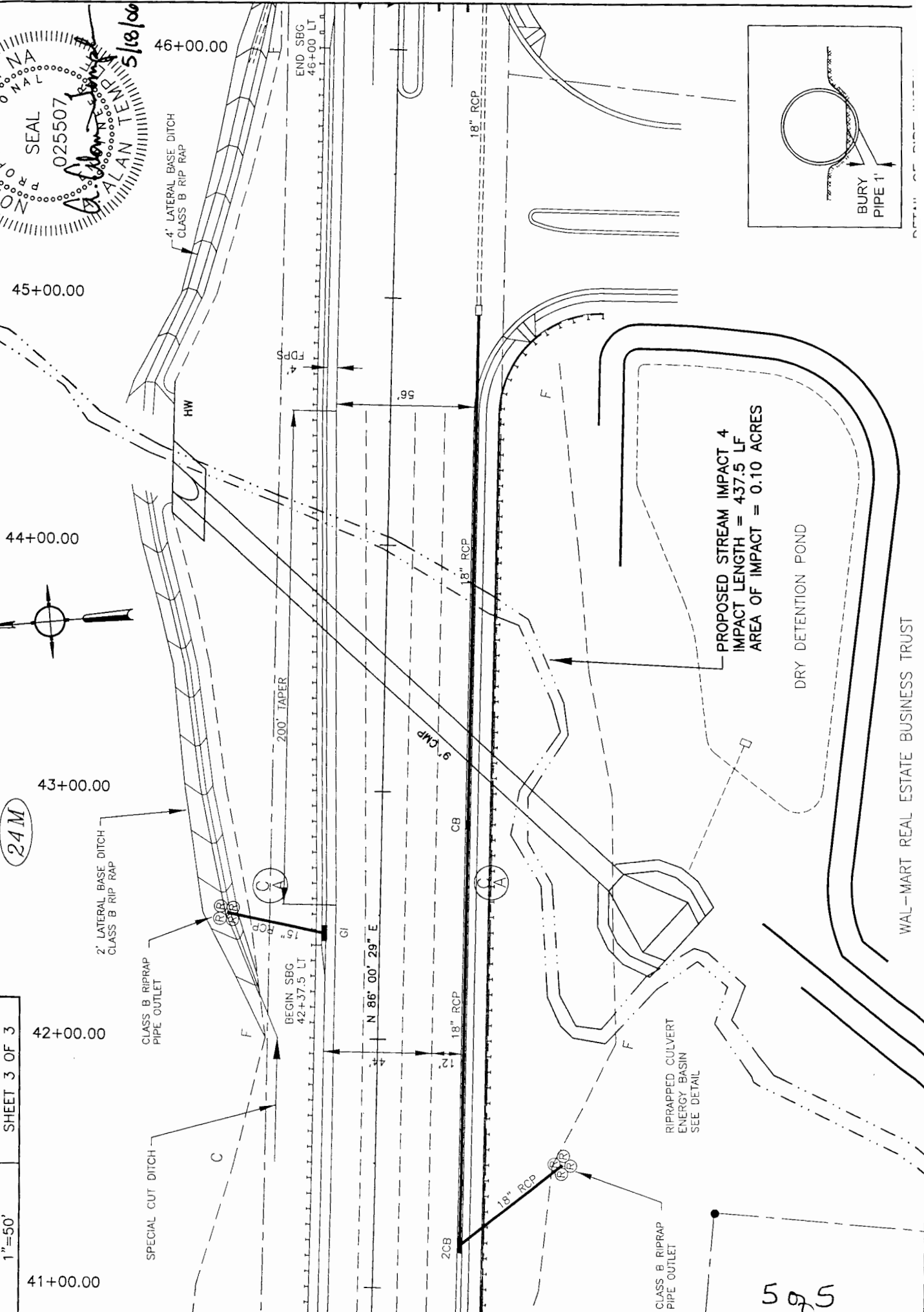
4 of 5

# CITY OF WINSTON-SALEM, N.C.

PROJECT NUMBER	PROJECT NAME
96007	W. CLEMMONSVILLE RD EXT.
SCALE	SHEET 3 OF 3
1"=50'	

GRADY L. ESTEP, JOSEPH A. HARRISON  
& DWIGHT D. HARRISON

24M



505